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October 10, 2003

The Honorable Thomas Scully
Administrator
Centers for Medicare & Medicaid Services
Room 314G
Hubert H. Humphrey Building
200 Independence Ave. S.W.
Washington, D.C. 20201

Dear Mr. Scully:

As stated in previous letters to you by several transplant centers, we believe that the 2000 CMS Medicare National Coverage Decision for small bowel transplantation was, in part, based on a misinterpretation of the data available at that time from the International Intestinal Transplant Registry. This misinterpretation resulted in the current, and we believe unsubstantiated, CMS requirement for 10 transplants per year to obtain Medicare certification. The original CMS ruling created a situation where the first centers to become "Medicare-certified" monopolized the practice of small bowel transplantation - seriously disadvantaging new, potentially high-quality, small bowel transplant programs, and compromising the care of patients who live in regions without Medicare-certified centers.

Unfortunately, despite these issues, the 2000 CMS National Coverage Decision has not been revised over the last three years. However, updated Registry data recently demonstrated that center volume no longer affects small bowel transplant outcomes. We therefore believe that the time has come to consider revising the current criteria for Medicare certification for small bowel transplantation.

We would like to respectfully request that you meet with representatives of our transplant centers to reassess the original National Coverage Decision for small bowel transplantation. We would also like to invite Dr. David Grant, Professor of Surgery at the University Hospital in Toronto, Canada, in his capacity as Director of the International Intestinal Transplant Registry, to present the updated 2003 data analysis to you. He would be happy to address any other scientific questions you may have regarding the Registry.

We appreciate your consideration and look forward to hearing from you.

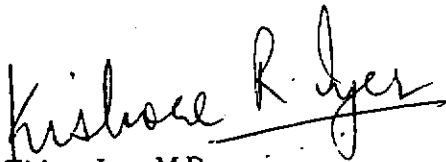
Sincerely yours,



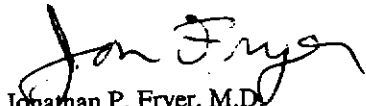
Anthony D'Alessandro, M.D.
Director of Multiorgan Transplantation
Executive Director of UW Organ Procurement Organization
University of Wisconsin



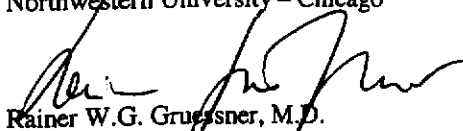
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RWGG/lcw

Cc: The Honorable Tommy G. Thompson, Secretary, Health and Human Services
David Grant, M.D., Director, International Intestinal Transplant Registry